

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN S. MACDONALD, et. al.,

Plaintiffs,

v.

CASHCALL, INC., et al.

Defendants.

Civil Action No. 16-2781

ORDER

ARLEO, UNITED STATES DISTRICT JUDGE

THIS MATTER having come before the Court by way of Plaintiffs John S. MacDonald's ("MacDonald") and Jessica C. Spearman's ("Spearman," and together with MacDonald "Plaintiffs") Motion for Class Certification pursuant to Federal Rule of Civil Procedure 23, ECF No. 93;

and for the reasons set forth in the Court's accompanying opinion;

IT IS on this 31st day of October, 2019

ORDERED that Plaintiffs' Motion for Class Certification is **GRANTED**; and it is further

ORDERED that pursuant to Federal Rule of Civil Procedure 23(g), Nichols Kaster, PLLP, Gupta Wessler PLLC, and Schall & Barasch, LLC are appointed as counsel for the two classes; and it is further

ORDERED that MacDonald and Spearman are appointed as class representatives;

ORDERED that the two classes that are certified are:

Four Year Class

All individuals who, on or after May 17, 2012, made payments to one or more Defendants on loans originated by Cashcall, Inc., WS Funding, LLC, Delbert Services Corp., J. Paul Reddam, or Western Sky Financial, LLC where the borrower was a New Jersey resident;

Six Year Class

All individuals who, on or after May 17, 2010, made payments to one or more Defendants on loans originated by Cashcall, Inc., WS Funding, LLC, Delbert Services Corp., J. Paul Reddam, or Western Sky Financial, LLC where the borrower was a New Jersey resident;

and it is further

ORDERED that the following claims are certified on behalf of the two classes:

The usury claims in Count I of the Amended Complaint;

The New Jersey Consumer Fraud Act claims in Count II of the Amended Complaint;

The restitution and unjust enrichment claims in Count III of the Amended Complaint;

The declaratory relief claims in Count IV of the Amended Complaint, and;

The Racketeering Influenced and Corrupt Organizations claims in Count V of the Amended Complaint.

/s/ Madeline Cox Arleo
MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE